

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND**

UNITED STATES OF AMERICA,

\*

Plaintiff,

\*

Criminal Case No. CCB-17-0226

v.

\*

ERIC WAYNE GRINDER,

\*

Defendant.

\*

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**ORDER**

Correspondence was received from defendant Eric Wayne Grinder requesting appointment of counsel for the purpose of filing a motion pursuant to 28 U.S.C. §2255. ECF 159, 160. The correspondence has been construed as a motion for appointment of counsel. There are no pending matters before the court, other than defendant's motion to appoint counsel.

Under Rule 8(c) of the Federal Rules Governing §2255 proceedings, "[i]f an evidentiary hearing is warranted, the judge must appoint an attorney to represent a moving party who qualifies to have counsel appointed under 18 U.S.C. §3006A." As defendant has not yet filed a § 2255 motion, his motion for appointment of counsel is denied, as premature. Should defendant file a motion pursuant to § 2255 he may then also file a motion to appoint counsel which the court will consider.

To assist the defendant in filing a § 2255 motion, the Clerk will be directed to send defendant the court's instructions and forms for filing a § 2255 motion.

Accordingly, it is this 16<sup>th</sup> day of July, 2020, by the United States District Court for the District of Maryland, hereby ORDERED that:

1. Defendant's Motion for Appointment of Counsel, ECF 159, 160, IS DENIED without prejudice; and

2. The Clerk IS DIRECTED to MAIL a set of instructions and forms used to file a §2255 motion to defendant, together with a copy of this Order.

/S/

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Catherine C. Blake  
United States District Judge